

CITY OF PROVIDENCE RHODE ISLAND



CITY COUNCIL

JOURNAL OF PROCEEDINGS

No. 27 City Council Regular Meeting, Tuesday, December 13, 1983, 8:00 P.M. (E.S.T.)

IN CITY COUNCIL

JAN 5 1984

APPROVED:

PRESIDING

Rose M. Mendonca CLERK

COUNCIL PRESIDENT

JOSEPH R. PAOLINO, JR.

ROLL CALL

Present: Council President Paolino and Councilman Annaldo, Councilwoman Brassil, Councilman Dillon, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fagnoli, Councilmen Farmer, Glavin, O'Connor, Petrosinelli, Pitts and Stravato—13.

Absent: Councilmen Cola and Griffin—2.

INVOCATION

The Invocation is given by COUNCILMAN MALCOLM FARMER, III.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

COUNCIL PRESIDENT PRO TEMPORE STRAVATO leads the Members of the City Council and the Assemblage in the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF RECORD

The Journal of Proceedings No. 26 of the Regular Meeting of the City Council held December 1, 1983 and Posted December 9, 1983, on that Bulletin Board located on the Ground Floor Level of City Hall, is Approved as Printed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.

APPOINTMENTS BY HIS HONOR THE MAYOR

Communication, dated November 23, 1983, Informing the Honorable City Council that pursuant to Sections 302 and 1103 of the Providence Home Rule Charter of 1980, he is this day appointing Jacob Miller of 84 Savoy Street, Providence, as a Member of the Providence Human Relations Commission for a term to expire on the first Monday of January, 1986, to fill the unexpired term of Lawrence Hopfenberg who is deceased.

The Honorable Members
The City Council of the
City of Providence
City hall
Providence, RI 02903

Dear Honorable Members:

Pursuant to Sections 302 and 1103 of the Providence Home Rule Charter of 1980, I am this day appointing Jacob Miller of 84 Savoy Street,

Providence, Rhode Island, a member of the Providence Human Relations Commission, for a term to expire on the first Monday of January, 1986, and respectfully submit the same for your approval.

Mr. Miller fills the unexpired term of Lawrence Hopfenberg who is deceased.

Respectfully,

VINCENT A. CIANCI, JR.
Mayor of Providence

Communication Read and Received and Appointment Approved, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.

The motion to Approve is Sustained.

ORDINANCES SECOND READING

The following Ordinances were in City Council December 1, 1983, Read and Passed the First Time and are Returned for Passage the Second Time:

An Ordinance in Amendment of and in addition to Sec. 4-47 of Article III of the Code of Ordinances of the City of Providence entitled: "Conditions Declared Nuisance: Abatement Required."

Be It Ordained By The City Of Providence:

Section 1. Sec. 4-47 of Article III of the Code of Ordinances of the City of Providence, entitled: "Conditions declared nuisance; abatement required" is hereby amended by deleting sub-

section (a) and inserting in lieu thereof, the following:

(a) The keeping or harboring of any dog, whether licensed or not, which by unreasonable and habitual howling, barking, or any other noise, disturbs a surrounding or adjacent neighbor or neighbors, is hereby declared to be a public nuisance. The said neighbor complaining about the dog nuisance must be willing to sign a complaint and testify in court as to the offending animal. The person or owner of the dog must be warned at least once by the Dog Officer or a representative of the Police Department or Animal Shelter. The Dog Officer shall investigate the complaint to such an extent so as to hear the animal in question barking and to show that the animal is a public nuisance and/or a bother to the peaceable inhabitants of the City, or the neighborhood. The dog officer, if he finds a nuisance exists shall serve written notice upon the owner or custodian of said animal to show that the animal is a public nuisance.

If after said offense has been noted and said offense, howling, barking or any other noise which disturbs a neighbor is not abated, the owner shall be brought to Municipal Court and fined \$25.00 for the first offense and \$50.00 for the second offense and if a third offense exists, said dog shall be impounded.

Sec. 2. This Ordinance shall take effect upon its passage.

An Ordinance in Amendment of and in Addition to Chapter 26 of the Code of Ordinances of the City of Providence entitled, "Weights and Measures."

Be It Ordained By The City Of Providence:

Chapter 26 of the Code of Ordinances of the City of Providence is hereby amended and added to in the following manner:

Section I. Section 26-1. Record Book to be kept by Director of Inspection and Standards. The Director of Inspection and Standards shall make and keep in a book to be provided by him or her for that purpose a true record of the names of every person in the city selling goods, wares, merchandise, liquors or provisions therein, and shall report in writing to the chief of police the name of every person who shall violate the laws as to weights and measures.

Section II. Sec. 26-2. Sealing weights, measures, measuring machines or balances. The Director of Inspection and Standards, between the fifteenth day of February and the fifteenth day of December following, shall visit the places of business of all persons having weights, measures, measuring machines, and balances of any description which shall be sealed by him or her, and which have not been sealed since the first day of January next preceding said visit, and seal any weights, measures, measuring machines or balances that may be presented to him or her, or send the same to his or her office to be tried, proved and sealed.

Section III. Sec. 26-3. Report by Director of Inspection and Standards of fees and expenses. The Director of Inspection and Standards, or his or her designee, semiannually in the months of June and December of each year, shall report in writing to the city council the amount of the fees received by him or her, and from whom the same were received, and also the expenses incurred by him or her and for what purpose.

Section IV. Sec. 26-4. Records of Director of Inspection and Standards. The Director of Inspection and Standards or his or her designee shall keep a record of all sealings, repairs, alterations and adjustments made by him or her or his or her assistants, and also of all cartage done, and of the amounts of money received from said sources, together with the names and places of business of all parties for whom sealings, repairs, alterations or adjustments are done.

Section V. Sec. 26-5. Receipt book of The

Director of Inspection and Standards. The Director of Inspection and Standards or his or her designee shall give receipts from stub receipt books to all parties from whom money is received, and shall keep a record upon the stubs of the receipt books of the names and places of business of the parties for whom said work is done, together with the amounts received therefor. The pages of the receipt book shall be numbered consecutively, each stub with its corresponding receipt having the same number.

Section VI. Sec. 26-6. Office hours at city platform scale. The city shall provide and keep in good order a suitable platform scale. The office hours of the Director of Inspection and Standards or his or her designee at said platform scale shall be daily, Sundays and legal holidays excepted, between the hours of 7:00 a.m. and 5:00 p.m. with the exception of Saturdays, when the office hours shall be from 7:00 a.m. until 1:00 p.m.

Section VII. Sec. 26-7. Fees for loads, vehicles weighed; certificates. The Director of Inspection and Standards or his or her designee shall be entitled to demand and receive from the owner or person in charge of articles weighed by him or her the sum of five dollars (\$5.00) for each load or vehicle weighed by him or her, and such owner or person shall be entitled to receive such reasonable number of certificates of weight as he or her may require.

Section VIII. Sec. 26-8. Record of casks gauged. The Director of Inspection and Standards or his or her designee shall keep a true and faithful record of the number of casks gauged by him or her with the contents of the same and the amount of fees received by him or her for said services.

Section IX. Sec. 26-9. Return of Casks gauged. The Director of Inspection and Standards or his or her designee shall make return to the city council on the first Monday in January annually, of the number of casks gauged by himself or herself or his or her designees, specifying the contents of said casks, and by whom gauged, and

the amount of all fees received by him or her or his or her designees.

Section X. Sec. 26-10. Weighing goods, wares and merchandise. No person shall sell or deliver or service any goods, wares or merchandise, the price of which is determined by weight unless the weight thereof is clearly and visibly marked thereon or upon the parcel, package or container or upon a slip accompanying the same except where said goods, wares or merchandise are weighed in the immediate presence of the purchaser upon a scale whose face is clearly visible to the purchaser. Any person violating this provision shall be deemed guilty of an offense.

Section XI. Sec. 26-11. Weighing coal.

(a) All anthracite or other coal, sold by weight in any quantity not exceeding fifteen (15) tons, and not less than one-half ($\frac{1}{2}$) of a ton, shall, previous to the delivery thereof to the purchaser, be weighed by some public weigher who shall immediately make and deliver to the carrier thereof, or to the driver of the vehicle in which the same shall have been placed for delivery, a certificate of the weight thereof, which certificate shall be by such carrier or driver delivered with such coal to the purchaser thereof. Any person who shall sell and deliver by weight, or permit to be sold and delivered for him by weight, any anthracite or other coal which shall not have been weighed, and the weight thereof certified as required by this section, shall be deemed guilty of an offense.

(b) All anthracite coal sold in less quantity than one-half ($\frac{1}{2}$) ton shall be sold by weight. Any person who shall sell and deliver, or permit to be sold and delivered, any anthracite coal in less quantity than one-half ($\frac{1}{2}$) of a ton, otherwise than by weight, shall be deemed guilty of an offense.

Section XII. Sec. 26-12. Fees for cartage and travel. The Director of Inspection and Standards shall impose fees for cartage and travel upon all persons or businesses having weights, measures,

measuring machines and balances of any description and which shall be sealed by him or her under this section in the following manner:

(a) For any person or business having weights, measures, measuring machines and balances of any description and located in the downtown area as defined by the Office of the Traffic Engineer of the City of Providence, the fee shall be two dollars and fifty cents (\$2.50).

(b) For any person or business having weights, measures, measuring machines and balances of any description and located without that area, the fee shall be five dollars (\$5.00).

Section XIII. Sec. 26-13. Fees for adjustment. The Director of Inspection and Standards shall impose a fee of five dollars (\$5.00) whenever any weights, measures, measuring machines and balances shall be adjusted by him or her or his or her designee to insure its accuracy.

Section XIV. Sec. 26-14. Weighing hay and straw in bundles. The Director of Inspection and Standards or his or her designee shall, whenever requested so to do, weigh all hay or straw pressed into bales or bundles which may be sold or offered for sale in the city, and shall deduct from the gross weight the tare of each bundle or bale for wood or other bindings, as nearly as he or she can

ascertain the same, and shall mark such tare and the gross weight of such bale or bundle, together with his or her own initials, in a legible and durable manner upon some suitable substance attached to each bale or bundle; and he or she shall be entitled to demand and receive for his or her services hereunder the sum of ten cents (\$.10) for each bale or bundle weighed by him or her to be paid by the person requesting said services.

Section XV. This Ordinance shall take effect upon its passage.

Severally Read and Collectively Passed the Second Time, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON, by the following Roll Call Vote:

Ayes: Council President Paolino and Councilmen Annaldo, Dillon, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fagnoli, Councilmen Farmer, Glavin, Petrosinelli, Pitts and Stravato—11.

Absent: Councilwoman Brassil, Councilmen Cola, Griffin and O'Connor—4.

The motion for Passage the Second Time is Sustained.

PRESENTATION OF ORDINANCES

COUNCILMAN FARMER (By Request):

An Ordinance in Amendment of Section 3 of Chapter 1983-53, Approved November 10, 1983, entitled: "An Ordinance Establishing the Classes of Positions, the Maximum Number of Employees and the Number of Employees in Certain Classes

in the City Departments and Repealing Ordinance Chapter 1982-44, approved July 7, 1982, as amended," Relative to Department of Law.

An Ordinance in Amendment of Chapter 1983-52, Approved July 10, 1983, entitled: "An Ordinance Establishing a Compensation Plan for the City of Providence and Repealing Chapter 1982-60, approved December 10, 1982, as Amended," Relative to Department of Law.

Severally Referred to Committee on Finance, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.

The motion to Refer is Sustained.

COUNCILMAN GLAVIN and COUNCILMAN DILLON (By Request):

An Ordinance Amending Section 1 of Chapter 103 of the Ordinances of the City of Providence, 1948 entitled: "An Ordinance designating 17 Areas of land in the City of Providence as Redevelopment Areas in accordance with the provisions of Section 22 of Chapter 1802 of the Public Laws, 1946, known as the 'Community Redevelopment Act,' as Amended for the Promenade Center Renewal Project."

An Ordinance Approving and Adopting the Official Redevelopment Plan for the Promenade Center Renewal Project.

An Ordinance in Addition to Chapter 1973-52 of the Ordinances of the City of Providence Approved December 14, 1973 and entitled: "An Ordinance Approving and Adopting the Official Redevelopment Plan for the West Broadway NDP Urban Renewal Area (1)." For the Deletion from Acquisition of Lots 431 and 432 on Assessor's

Plat 35 and the Deletion from Street Abandonment of Palm Street.

Severally Referred to Committee on Urban Redevelopment, Renewal and Planning, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.

The motion to Refer is Sustained.

COUNCILWOMAN BRASSIL (By Request):

Resolution requesting the Chief Electrical Inspector to replace the light on Pole No. 1, located along Chestnut Street, to equal the lumens of other street lights within the area.

Resolved, That the Chief Electrical Inspector is requested to replace the light on Pole No. 1, located along Chestnut Street, to equal the lumens of other street lights within the area.

COUNCILWOMAN DiRUZZO (By Request):

Resolution requesting the Chief Electrical Inspector to order the Installation of a Street Light along 8 Cutler Street.

Resolved, That the Chief Electrical Inspector is requested to order the installation of a street light along 8 Cutler Street.

COUNCILWOMAN FARGNOLI:

Resolution requesting Council President Joseph R. Paolino, Jr. to arrange a meeting with Governor J. Joseph Garrahy, or his designee to address the Providence City Council on the

subject of the Greenhouse Program for Economic Development and how it will affect the City of Providence.

Resolved, That Council President Joseph R. Paolino, Jr. is requested to arrange a meeting with Governor J. Joseph Garrahy, or his designee to address the Providence City Council on the subject of the Greenhouse Program for Economic Development and how it will affect the City of Providence.

Severally Read and Collectively Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.

The motion for Passage is Sustained.

COUNCILMAN GLAVIN and COUNCILMAN DILLON (By Request):

Resolution authorizing and directing the City Treasurer, acting under the direction of the Committee on Finance to borrow from time to time, in such sums as may be necessary, not exceeding One Million (\$1,000,000) Dollars, for carrying out the Official Redevelopment Plan for the Promenade Center Renewal Project.

Referred to Committee on Finance, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.

The motion to Refer is Sustained.

COUNCILMAN O'CONNOR and COUNCIL PRESIDENT PAOLINO, COUNCILMAN ANNALDO, COUNCILWOMAN BRASSIL, COUNCILMAN COLA, COUNCILMAN DILLON, COUNCILWOMAN DIRUZZO, COUNCILMAN EASTON, COUNCILWOMAN FARGNOLI, COUNCILMAN

FARMER, COUNCILMAN GLAVIN, COUNCILMAN GRIFFIN, COUNCILMAN PETROSINELLI, COUNCILMAN PITTS and COUNCILMAN STRAVATO:

Resolution Expressing the Best Wishes of the Members of the City Council to B. Albert Ford for a Complete and Speedy Recovery from his recent illness.

Resolved, That the Members of the City Council hereby express Best Wishes to B. Albert Ford for a Complete and Speedy recovery from his recent illness.

Resolution Expressing the Best Wishes of the Members of the City Council to former Councilman Philip F. Addison, Jr., for a Complete and Speedy Recovery from his recent illness.

Resolved, That the Members of the City Council hereby express Best Wishes to Former Councilman Philip F. Addison, Jr. for a Complete and Speedy Recovery from his recent illness.

COUNCILMAN O'CONNOR (By Request):

Resolution requesting the Chief Electrical Inspector to order the replacement of those lights along Parkis Avenue, with High Pressure Sodium Vapor Lights.

Resolved, That the Chief Electrical Inspector is requested to order the replacement of those lights along Parkis Avenue, with High Pressure Sodium Vapor Lights.

COUNCILMAN PETROSINELLI (By Request):

Resolution requesting the Chief Electrical Inspector to order the replacement of a street light on Pole No. 12, located along Donelson Street.

Resolved, That the Chief Electrical Inspector is requested to order the replacement of a street light on Pole No. 12, located along Donelson Street.

Resolution requesting the Director of Public Works to cause the Brook in the rear of Star Market on Branch Avenue, to be Dredged.

Resolved, That the Director of Public Works is requested to cause the Brook in the rear of Star Market on Branch Avenue, to be Dredged.

Resolution requesting the Director of Public

Works to cause the Brook in the rear of 387 Charles Street, to be Dredged.

Resolved, That the Director of Public Works is requested to cause the Brook in the rear of 387 Charles Street, to be Dredged.

Resolution requesting the Chief Electrical Inspector to cause Pole No. 1, located along Italy Street to be relocated Ten (10) Feet in a Northerly Direction.

Resolved, That the Chief Electrical Inspector is requested to cause Pole No. 1, located along Italy Street to be relocated Ten (10) Feet in a northerly direction.

Severally Read and Collectively Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.

The motion for Passage is Sustained.

REPORTS FROM COMMITTEES

COUNCILMAN THOMAS M. GLAVIN, Chairman COMMITTEE ON ORDINANCES

Transmits the following with Recommendation, the Same be Adopted:

An Ordinance Requiring that All Licensed Establishments which Sell Alcoholic Beverages in the City of Providence place a Notice in a Conspicuous Place Indicating: "Attention Pregnant Women: The Consumption of Alcoholic Beverages may be Injurious to the Fetus."

Read and Passed the First Time, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON, by the following Roll Call Vote:

Ayes: Council President Paolino Councilman Annaldo, Councilwoman Brassil, Councilman Dillon, Councilwoman Di-

Ruzzo, Councilman Easton, Councilwoman Fagnoli, Councilmen Farmer, O'Connor, Petrosinelli, and Stravato—11.

Noes: Councilman Pitts—1.

Not Voting: Councilman Glavin—1.

Absent: Councilmen Cola and Griffin—2.

The motion for Passage the First Time is Sustained.

COUNCILMAN LOUIS R. STRAVATO, Chairman COMMITTEE ON CLAIMS AND PENDING SUITS

Transmits the following with Recommendation, the Same be Severally Approved for Cancellation:

Certificates from the City Assessor (17-L, 18-L, 20-L, through 35-L Inclusive, 37-L, 38-L and (40-L) Recommending the Same be Severally Cancelled, Pursuant to the Provisions of Sections 14 and 15 of Title 44, Chapter 7 of the General Laws of Rhode Island, 1956 as Amended.

Severally Approved for Cancellation, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON, by the following Roll Call Vote:

Ayes: Council President Paolino and Councilman Annaldo, Councilwoman

Brassil, Councilman Dillon, Councilwoman DiRuzzo, Councilman Easton, Councilwoman Fagnoli, Councilmen Farmer, Glavin, O'Connor, Petrosinelli, Pitts and Stravato—13.

Absent: Councilmen Cola and Griffin—2.

The motion to Approve for Cancellation is Sustained.

Certificates from the City Collector (Nos. 16 and 17) Recommending the Same be Cancelled

Pursuant to the Provisions of Section 44-7-11 of the General Laws of Rhode Island, 1956 as Amended, inasmuch as the Same have been determined to be uncollectible as such amounts were not reported as required on the statement.

Severally Referred Back to Committee on Claims and Pending Suits, on motion of COUNCILMAN STRAVATO, seconded by COUNCILMAN GLAVIN.

The motion for Referral Back to Committee on Claims and Pending Suits is Sustained.

FROM THE CLERK'S DESK

Petitions for Compensation for Injuries and Damages, viz:

Esther Campagnone

Vincenza DiCarlo

Manuel Estacio

Lucille Golden

Alice E. Lecht

Rhode Island Public Transit Authority

Michael Renzi

Joseph Rotondo

Severally Referred to Committee on Claims and Pending Suits, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.

The motion to Refer is Sustained.

PRESENTATION OF RESOLUTIONS

"In Congratulations"

COUNCIL PRESIDENT PAOLINO and the MEMBERS of the CITY COUNCIL:

Resolutions Extending Congratulations to the Following:

Milton R. Wilson and John D. Zielinski, In Recognition of being Promoted to the Rank of Major in the Providence Police Department.

Bernard E. Gannon, In Recognition of being Promoted to the Rank of Captain in the Providence Police Department.

Stephen M. McCartney and Ronald J. Urso, In

Recognition of being Promoted to the Rank of Lieutenant in the Providence Police Department.

Joseph Gleckman and Thomas F. Blessington, In Recognition of being Promoted to the Rank of Sergeant in the Providence Police Department.

Severally Read and Collectively Passed, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON.

The motion for Passage is Sustained.

PRESENTATION OF RESOLUTIONS

"In Memoriam"

COUNCIL PRESIDENT PAOLINO and the MEMBERS of the CITY COUNCIL:

Resolutions of Sympathy of the Members of the City Council to the following Families of the Various Decendents:

Resolved, That the Sympathy of the Members of the City Council is hereby expressed to the Following:

Weber D. Vasconcelos

Francis H. Fischer

Guido M. Iacobbo

Albert E. Sunderland

Charles Haytaian

Harold C. Jennings

Christopher Calise

Adalaida DeConcilis

Julia D'Ordine

Nando Faraone

Andrew Garafano

Rose A. Donofrio

Sister Eileen Murphy

Margaret J. Joyce

Amedeo Palazzolo

Lucia Morriss

Rose Calvitto

Clinton R. DeConti, D.D.S.

Mary Cirelli

Albert D. Capuano

Mary Figliuzzi

Albert Meleo

Lucy P. Mimicucci

Sophie Maksymowicz

Mary H. Beagan

William E. McCabe

**Severally Read and Collectively Passed,
on motion of COUNCILMAN GLAVIN,
seconded by COUNCILMAN DILLON.**

The motion for Passage is Sustained.

ADJOURNMENT

There being no further business, on motion of COUNCILMAN GLAVIN, seconded by COUNCILMAN DILLON, the City Council adjourns at 8:45 o'clock P.M. (EST) to meet again on THURSDAY, JANUARY 5, 1984 at 8:00 o'clock P.M. (EST).

Rose M. Mandonea

City Clerk



December, 13]

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